



S000259%\$%2001

1999, 2000, 2001



**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
 Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: PHYLLIS M HEINE

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**PHYLLIS M HEINE**  
**PO BOX 273**  
**MARIPOSA, CA 95338**

STATEMENT NO. S000259  
 CONTACT PHONE NO.: (209)966-4375

FOR ONLINE REPORTING AT  
 www.waterrights.ca.gov

USER NAME: S000259  
 PASSWORD: C14012

Source Name: Unnamed Spring  
 Tributary To: AGUA FRIA CREEK  
 County: Mariposa  
 Diversion Within: NW1/4 of SE1/4 Section 08, T05S, R18E, MB&M

Year of First Use: 1940  
 Parcel Number: 012-040-0160

- A. Water is used under: Riparian claim  Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Year	Amounts below are:												Total Annual
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1999	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	not known
2000	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	"
2001	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	"

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
 Irrigation NONE acres; Stockwatering NONE; Domestic APPROX 1 ACRE: 2 people  
 Other (specify) NONE
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
NONE

- F. Please answer only those questions below which are applicable to your project.
1. Conservation of water
- a. Are you now employing water conservation efforts? YES \_\_\_ NO \_\_\_  
 Describe any water conservation efforts you have initiated: \_\_\_\_\_
- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:
- Reductions in Diversions:  
 yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)
- Reductions in consumptive use:  
 yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)
- I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_ NO \_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_ NO \_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
 I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_ NO \_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_ NO \_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
 I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_ NO \_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

P.O. Box 273

DATE: 6/24/02, 2002 at 5726 Highway 49 No. Mariposa, California

SIGNATURE: Phyllis M. Heine

PRINTED NAME: Phyllis (first name) M. (middle init.) Heine (last name)

COMPANY NAME: N/A

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

STATE WATER RESOURCES CONTROL BOARD  
 DIVISION OF WATER RIGHTS  
 P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
 (916) 657-2170

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
 Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: PHYLLIS M HEINE

PHYLLIS M HEINE  
 PO BOX 273  
 MARIPOSA, CA 95338

STATEMENT NO: S000259

SOURCE: UNSP  
 TRIBUTARY TO: AGUA FRIA CREEK  
 COUNTY: MARIPOSA  
 DIVERSION  
 WITHIN: NW¼ OF SE¼ SECTION 8, T5S, R18E, MB&M.

TELEPHONE NUMBER:  
 (209) 966-4375  
 YEAR OF FIRST USE: 1940  
 PARCEL NO:

- A. Water is used under: Riparian claim  Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons \_\_\_\_\_ Acre-feet \_\_\_\_\_ Other \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1997	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1998	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation None acres; Stockwatering None; Domestic at least 2

Other (specify) \_\_\_\_\_

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Describe any water conservation efforts you may have started: \_\_\_\_\_
- b. \_\_\_\_\_
- c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:
- 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO

STATE WATER RESOURCES CONTROL BOARD  
 DIVISION OF WATER RIGHTS  
 SACRAMENTO  
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The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

(3) assists the State to determine if additional water is available for future appropriators. Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and

only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

Blank lines for general information.

ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

COMPANY NAME: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ (first name) \_\_\_\_\_ (middle init.) \_\_\_\_\_ (last name)

SIGNATURE: Phyllis M. Heine

DATE: 4/07/99 at 5726 Kingsley Dr, Mariposa, California

I declare that the information in this report is true to the best of my knowledge and belief.

19 \_\_\_\_\_ (aff/mg) 19 \_\_\_\_\_ (aff/mg) 19 \_\_\_\_\_ (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

19 \_\_\_\_\_ (aff/mg) 19 \_\_\_\_\_ (aff/mg) 19 \_\_\_\_\_ (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

5-259

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.**

**OWNER OF RECORD:** PHYLLIS M HEINE

PHYLLIS M HEINE  
P O BOX 273  
MARIPOSA, CA 95338

**STATEMENT NO:** S000259

**SOURCE:** UNSP  
**TRIBUTARY TO:** AGUA FRIA CREEK  
**COUNTY:** MARIPOSA  
**DIVERSION**

**TELEPHONE NUMBER:**  
(209) 966-4375  
**YEAR OF FIRST USE:** 1940  
**PARCEL NO:** *assessment number: 012-040-0160*

**WITHIN:** NW¼ OF SE¼ SECTION 8, T5S, R18E, MB&M.

- A. Water is used under: Riparian claim ; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_.
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) \_\_\_\_\_

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1995	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic  *at least 3 people*  
Other (specify) *watering of plants + trees around the 2 small houses*
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

STATE WATER RESOURCES CONTROL BOARD  
SACRAMENTO  
JUN 11 AM 11:42  
DIVISION OF WATER RIGHTS

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 20, 19 96, at 5726 Highway 49 North, Mariposa, California

SIGNATURE: Phyllis M. Heine

PRINTED NAME: Phyllis Mary Heine  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: N/A

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

S - 259

**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\***

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

STATEMENT NO: S000259  
OWNER OF RECORD: PHYLLIS M HEINE

PHYLLIS M HEINE  
P O BOX 273  
MARIPOSA, CA 95338

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
1995 MAY -5 PM 12:44

SOURCE: UNSP  
TRIBUTARY TO: AGUA FRIA CREEK  
COUNTY: MARIPOSA  
DIVERSION  
WITHIN: NW¼ OF SE¼ SECTION 8, T5S, R18E, MDB&M.

TELEPHONE NUMBER:  
(209) 966-4375  
YEAR OF FIRST USE: 1940  
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

- A. Water is used under: Riparian claim ; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_.
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic at least 3 people  
Other (specify) 5 trees plus plants, flowers, etc around living area

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

N/A

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5/2/95, 19 95, at Mariposa, California  
SIGNATURE: Phyllis M. Heine  
PRINTED NAME: Phyllis (FIRST NAME) MARY (M. NAME) Heine (LAST NAME)  
COMPANY NAME: \_\_\_\_\_

**GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA**

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

DIVERTER OF RECORD:

STATEMENT NO: 000259

PHYLLIS M HEINE  
P O BOX 273  
MARIPOSA, CA 95338

TELEPHONE NUMBER:  
(209) 966-4375

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: AGUA FRIA CREEK

COUNTY: MARIPOSA

YEAR OF FIRST USE: 1940

**DIVERSION**

WITHIN: NW1/4 OF SE1/4 SECTION 08, T05S, R18E, MDB&M.

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.**

A. Water is used under: Riparian claim ; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1992	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic approx 1 acre/3 people  
Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

\_\_\_\_\_

\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3/13/94, 19 94, at Mariposa, California

Signature: Phyllis M. Heine

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

S 259

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Eltan M. Hilton  
Address 1676 Tacoma Ave Berkeley Calif. 94707

B. Name of body of water at point of diversion Not named unns. spring trib. unns. str.  
Tributary to West branch Aguo Fria Creek

C. Place of diversion NW 1/4 SE 1/4 Section 8, Township 5S, Range 18E, MD B2M, Mariposa County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Not named - rubble masonry diversion box

E. Capacity of diversion works 15.5 cubic feet per second  
Capacity of storage reservoir 2,400 gal Steel Tank, 8'0" dia x 7' gallons

State quantity of water used each month in gallons or acre-feet Thousands - Approx.

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
'66	6	6	9	12	12.8	12.6	15	15	15	15	7	6	131,400

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

1 to 3 persons part time, 1-3 horses, garden & fruit trees

Maximum annual water use in recent years 132,000 gallons

Minimum annual water use in recent years 130,000 gallons

Type of diversion facility: gravity , pump

Method of measurement: weir , flume , electric power meter , water meter , estimate

F. Purpose of use (what water is being used for) Domestic, stock, irrigation

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
2 houses, 7 fruit trees, plants, fenced garden (APRX. 1 AC.) (IRRIG.)

H. Year of first use as nearly as known 1940

I. Name of person filing statement Eltan M. Hilton

Position Retired Organization \_\_\_\_\_

Address 1676 Tacoma Ave Berkeley, Calif. 94707

I certify that the foregoing statement is true and correct to the best of my knowledge and belief.

Date signed Feb. 8, 1967

Signature Eltan M. Hilton

See Instructions on Reverse Side

51